



Practitioner's Docket No. 915-005.065

*JKW*  
**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: K. Tuomainen et al

Serial No.: 0 10/ 602,540 Group No.: 2179

Filed: June 23, 2006 Examiner: M. Tran

For: Context Dependent Auxiliary Menu Elements

Assistant Commissioner for Patents  
Washington, D.C. 20231

**AMENDMENT TRANSMITTAL**

1. Transmitted herewith is an amendment for this application.

**STATUS**

2. Applicant is

- a small entity. A statement:
  - is attached.
  - was already filed.
- other than a small entity.

---

**CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))**

I hereby certify that this correspondence is, on the date shown below, being:

**MAILING**

deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: 2/6/09

**FACSIMILE**

transmitted by facsimile to the Patent and Trademark Office.

*Margey B. Hood*  
Signature

Margey B. Hood

(type or print name of person certifying)

(Amendment Transmittal [9-19]—page 1 of 4)

02/09/2009 MBELETE1 00000062 10602540

01 FC:1252

490.00 OP

## EXTENSION OF TERM

**NOTE:** "Extension of Time in Patent Cases (Supplement Amendments) — If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

*If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).*

**NOTE:** See 37 C.F.R. § 1.645 for extensions of time in interference proceedings, and 37 C.F.R. § 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

*(complete (a) or (b), as applicable)*

- (a)  Applicant petitions for an extension of time under 37 C.F.R. § 1.136  
(fees: 37 C.F.R. § 1.17(a)(1)-(4) for the total number of months checked below:

Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input checked="" type="checkbox"/> two months	\$ 400.00-490'	\$ 200.00
<input type="checkbox"/> three months	\$ 950.00	\$ 475.00
<input type="checkbox"/> four months	\$1,510.00	\$ 755.00

Fee \$ 490'

If an additional extension of time is required, please consider this a petition therefor.

*(check and complete the next item, if applicable)*

- An extension for \_\_\_\_\_ months has already been secured. The fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ 490'

OR

- (b)  Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

## FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY	OTHER THAN A SMALL ENTITY
CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE <b>OR</b> RATE
TOTAL . . . . .	MINUS . . . . .	= . . . . .	x\$11= \$ . . . . .	x\$20= \$ . . . . .
INDEP. . . . .	8 . . . . .	8 . . . . .	x\$41= \$ . . . . .	x\$82= \$ . . . . .
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			+ \$135 = \$ . . . . .	+ \$270 = \$ . . . . .
			TOTAL ADDIT. FEE \$ . . . . .	<b>OR</b> TOTAL ADDIT. FEE \$ . . . . .

- If the entry in Col. 1 is less than entry in Col. 2, write "0" in Col. 3.
  - If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, enter "20".
  - If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".
- The "Highest No. Previously Paid For" (Total or indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

**WARNING:** "After final rejection or action (§ 1.113) amendments may be made cancelling claims or complying with any requirement of form which has been made." 37 C.F.R. § 1.116(a) (emphasis added).

(complete (c) or (d), as applicable)

(c)  No additional fee for claims is required.

**OR**

(d)  Total additional fee for claims required \$ \_\_\_\_\_

## FEE PAYMENT

5.  Attached is a check in the sum of \$ 490.00

Charge Account No. \_\_\_\_\_ the sum  
of \$ \_\_\_\_\_

A duplicate of this transmittal is attached.

## FEE DEFICIENCY

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).

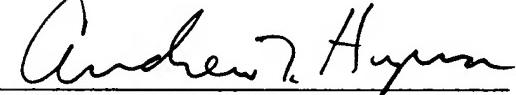
6.  If any additional extension and/or fee is required, charge Account No.

23-0442

### AND/OR

- If any additional fee for claims is required, charge Account No.

23-0442



SIGNATURE OF PRACTITIONER

Andrew T. Hyman

(type or print name of practitioner)

Reg. No.: 45,858

WARE, FRESSOLA, VAN DER SLUYS  
P.O. Address & ADOLPHSON LLP

Tel. No.: (203) 261-1234

755 Main Street, PO Box 224  
Monroe CT 06468

Customer No.: 004955

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re. Application of: **Kimmo Tuomainen** : Group Art Unit: **2179**  
Serial No.: **10/602,540** : Examiner: **Mylinh T Tran**  
Filed: **June 23, 2003** : Confirmation Number: **1200**

For: **CONTEXT DEPENDENT AUXILIARY MENU ELEMENTS**

U.S. Patent and Trademark Office  
Mail Stop Amendment - Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO NON-FINAL OFFICE ACTION

Sir:

In response to the non-final Office Action dated 10 September 2008, reconsideration of the rejections of the claims is respectfully requested in view of the following amendments and remarks.

I hereby certify that this correspondence is being deposited today with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: U.S. Patent and Trademark Office, Mail Amendment - Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Margery B. Hood

Date: Feb. 6, 2009